

MESSAGE NO: 9147201 MESSAGE DATE: 05/27/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-894

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/01/2008 TO 02/28/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON-REVIEW LIQUIDATION INSTRUCTION FOR CERTAIN TISSUE PAPER
PRODUCTS FROM CHINA (A-570-894-003/004/005/006/ 007/008/009/010/011/013/014)

MESSAGE NO: 9147201

DATE: 05 27 2009

CATEGORY: ADA

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REFERENCE:

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CASES: A - 570 - 894

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PERIOD COVERED: 03 01 2008 TO 02 28 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NON-REVIEW LIQUIDATION INSTRUCTION FOR CERTAIN TISSUE
PAPER PRODUCTS FROM CHINA (A-570-894-003/004/005/006/
007/008/009/010/011/013/014)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE
REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS
MUST BE REQUESTED PURSUANT TO SECTION 751(A)(1) OF THE TARIFF
ACT OF 1930 AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S
REGULATIONS.

2. THE LIQUIDATION AND CASH-DEPOSIT RATES FOR FIRMS WITH A
NON-MARKET ECONOMY SEPARATE RATE, FOR WHICH AN ANTIDUMPING
ADMINISTRATIVE REVIEW WAS NOT REQUESTED, WILL NOT BE REVISED FOR

THIS PERIOD. THE FIRMS LISTED BELOW HAVE BOTH A NON-MARKET ECONOMY SEPARATE RATE AND ARE NOT SUBJECT TO THE REVIEW FOR THE PERIOD 03/01/2008-02/28/2009. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF DEPARTMENT OF COMMERCE REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FOR THE FIRMS LISTED BELOW AT THE CASH-DEPOSIT OR BONDING RATE IN EFFECT AT THE TIME OF ENTRY.

PRODUCT: CERTAIN TISSUE PAPER PRODUCTS
COUNTRY: PRC
CASE NUMBER: A-570-894
PERIOD: 03/01/2008-02/28/2009

LIQUIDATE ALL ENTRIES FOR FIRMS LISTED BELOW:

COMPANY: SAMSAM PRODUCTIONS LTD.
CASE NUMBER: A-570-894-003

COMPANY: BA MARKETING & INDUSTRIAL CO. LTD.
CASE NUMBER: A-570-894-004

COMPANY: EVERLASTING BUSINESS & INDUSTRY CO. LTD.
CASE NUMBER: A-570-894-005

COMPANY: FUJIAN NANPING INVESTMENT & ENTERPRISE CO. LTD.
CASE NUMBER: A-570-894-006

COMPANY: FUJIAN XINJIFU ENTERPRISES CO. LTD.
CASE NUMBER: A-570-894-007

COMPANY: FUZHOU LIGHT INDUSTRY IMPORT & EXPORT CO. LTD.
CASE NUMBER: A-570-894-008

COMPANY: FUZHOU MAGICPRO GIFTS CO. LTD.
CASE NUMBER: A-570-894-009

COMPANY: GUILIN QIFENG PAPER CO., LTD.

CASE NUMBER: A-570-894-010

COMPANY: QINGDAO WENLONG CO. LTD.

CASE NUMBER: A-570-894-011

COMPANY: NINGBO SPRING STATIONARY CO. LTD.

CASE NUMBER: A-570-894-013

COMPANY: GUANGZHOU BAXI PRODUCTS CO. LTD.

CASE NUMBER: A-570-894-014

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. ENTRIES OF MERCHANDISE OF FIRMS NOT LISTED ABOVE SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER COMPLETION OF THE ANTIDUMPING ADMINISTRATIVE REVIEW FOR THE PERIOD 03/01/2008-02/28/2009. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE THAT WERE EXPORTED BY THE UNLISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

DURING THIS PERIOD.

5. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE FOR THE FIRMS LISTED ABOVE, DURING THE PERIOD 03/01/2008 THROUGH 02/28/2009, OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 03/2009 ANNIVERSARY MONTH (74 FR 19042, 04/27/2009). FOR ALL OTHER SHIPMENTS OF CERTAIN TISSUE PAPER PRODUCTS FROM THE PRC, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES AT THE CURRENT CASH DEPOSIT RATES OR PER-UNIT AMOUNTS.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON

UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY 02:AB)).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party